

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

ASOCIACION DE EMPLEADOS DEL
ESTADO LIBRE ASOCIADO DE
PUERTO RICO

And

UNION INTERNACIONAL DE
TRABAJADORES DE LA INDUSTRIA
DE AUTOMOVILES, AEROSPAZIO E
IMPLEMENTOS AGRICOLAS, U.A.W.,
LOCAL 1850

Cases: 12-CA-218502;
12-CA-232704

**OPPOSITION TO MOTION TO STRIKE AND/OR
MOTION TO WITHDRAW AND REPLACE “RESPONDENT’S REPLY BRIEF TO
COUNSEL FOR THE GENERAL COUNSEL’S ANSWER BRIEF”**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW BEFORE THE NATIONAL LABOR RELATIONS BOARD,
Asociación de Empleado del Estado Libre Asociado de Puerto Rico (hereinafter referred to as
“**AEELA**” and/or “**Respondent**”) through the undersigned counsel and very respectfully
REQUEST and **PRAY** as follows:

1. On December 4th, 2019, AEELA filed “*Respondent’s Exception to the Decision of the Administrative Law Judge*”.
2. After a long extension of time, Union Internacional de Trabajadores de la Industria de Automoviles, Aeroespacio e Implementos Agricolas, U.A.W. Local 1850 (hereinafter referred to as “**the Union**” and/or “**Petitioner**”) filed their “*Brief in Response to Respondent’s Exceptions*”.
3. On January 28, 2020, within the time limit, AEELA filed “*Respondent’s Reply Brief to Counsel for the General Counsel’s Answer Brief*”.

4. Section 102.46(e) of the Rules and Regulations of the National Labor Relations Board states that “*Within 14 days from the last date on which an answering brief may be filed pursuant to paragraphs (b) or (d) of this section, any party may file a reply brief to any such answering brief. Any reply brief filed pursuant to this paragraph (e) must be limited to matters raised in the brief to which it is replying and must not exceed 10 pages*”.

5. However, because of an involuntary mistake, the undersigned attorney filed the *Reply Brief* in excess of the page limit. Particularly, our *Reply* exceeds the page limitation by two (2) pages.

6. The undersigned attorney inadvertently mixed the time frame established by Section 102.46(e); that is, fourteen (14) days to file the *Reply Brief*, with the allowed page limit. In compliance with the abovementioned, although mistaken, a twelve (12) page document was filed.

7. We respectfully pray that an excess of two (2) pages, one of which is merely the *Certificate of Service*, constitutes a harmless error which does not affect either party. Notwithstanding, AEELA respectfully requests that this Honorable Board accept the herein attached *Respondent’s Reply Brief to Counsel for the General Counsel’s Answer Brief*, **which conforms to the page limitation**, as a replacement for the previously filed *Reply Brief*.

WHEREFORE, Respondent respectfully requests this Honorable Board to accept the herein attached *Respondent’s Reply Brief to Counsel for the General Counsel’s Answer Brief*.

Dated at San Juan, Puerto Rico, this 30 day of January of 2020.

CERTIFICATE OF SERVICE: The undersigned, as attorneys for Respondent, hereby certifies that a true and exact copy of the foregoing document was electronically filed via the NLRB E-Filing System with the National Labor Relations Board and served on the parties listed below via email to Atty. Manijee Ashrafi-Negroni, Sub-regional Office of the NLRB in Puerto Rico, to the email address Manijee.Ashrafi-Negroni@nlrb.gov; to Atty. Alexandra Sanchez (“charging party”) to asanchez@msglawpr.com.

RESPECTFULLY SUBMITTED.

BAERGA & QUINTANA LAW OFFICES, LLC

416 Ponce de Leon Ave.

Union Plaza Bldg., Suite 810

San Juan, Puerto Rico 00918

Tel.: (787) 753-7455

Fax: (787) 756-5796

Email: info@bqlawoffices.com

s/Carolina Santa Cruz Sadurní

Carolina Santa Cruz Sadurni, Esq.

csantacruz@bqlawoffices.com